



May 22, 2014

Ms. Miranda Lynch Thomas  
Children's Bureau  
Administration on Children, Youth, & Families  
Administration for Children & Families  
1250 Maryland Avenue, SW, 8<sup>th</sup> Floor  
Washington, DC 20024

New York State  
Office of  
Children &  
Family  
Services

<http://ocfs.ny.gov>

Andrew M. Cuomo  
Governor

Sheila J. Poole  
Acting Commissioner

Capital View Office Park

52 Washington Street  
Rensselaer, NY  
12144-2834

Dear Ms. Lynch Thomas:

The New York State Office of Children and Family Services (OCFS) would like to offer the following comments related to 45 CFR Part 1355 – Statewide Data Indicators and National Standards for Child and Family Services Reviews.

First, we agree that the performance measures set forth in the Federal Register are an improvement to the previous measures and that changes, such as using entry cohorts, will be a better reflection of state operations and performance. We are, however, concerned at the lack of detail regarding the methods and variables to be used in the risk adjustment process, and the method to identify the required level of improvement.

We offer the following variables for your consideration to the risk adjustment calculation:

- Age distribution of the children
- High rates of children in care with serious disabilities
- Differences between states in allegation types accepted
- Reporting rate
- Percent of reports made by mandated reporters

Additionally, we have a few questions related to the foster care measures:

- Placement stability – are there exclusions for:
  - Moves for short stays, i.e., to hospitals or respite?
  - Moves to reunite siblings?
- Will New York's recent change to move an additional portion of our juvenile delinquent (JD) population to foster care affect our improvement goals, as the expanded group of JDs were not in the historical files used to set the improvement goals?

New York would also like to request that the Children's Bureau provide the following information and assistance:

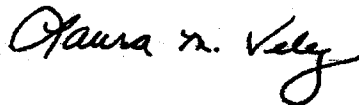
- A calculation of the new performance measures using data for the last several years to determine the state and national averages. We would like these calculations provided to the states immediately without the risk adjustment, and again later after the Children's Bureau calculates them adjusted for risk.



- A detailed explanation of the risk adjustment process (source of data, if any, other than NCANDS and AFCARS. calculations. and what goes into the calculation).
- The data source that will be used to determine the age distribution and/or race/ethnicity distribution of children. New York would like to have input on the categories that will be used.
- Training materials that states can use to explain the new performance measures that the states can personalize for their state and county administrators
- County risk adjustment data to the states that have county-administered systems so states can modify the performance measures with risk adjustments for the individual counties.
- Provide technical assistance as needed.

We appreciate the opportunity to share our questions and comments with the Children's Bureau. We look forward to working with the Children's Bureau during the third round of the Child and Family Services Review.

Sincerely,



Laura M. Velez  
Deputy Commissioner  
Child Welfare & Community Services